

# HOUSE BILL 104

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11r0051

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By: **Chair, Ways and Means Committee (By Request – Departmental – Disabilities)**

Introduced and read first time: January 24, 2011

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Community Colleges – Tuition Waiver for Disabled**  
3 **Individuals**

4 FOR the purpose of clarifying and amending the requirements for obtaining an  
5 exemption from the payment of tuition at community colleges for certain  
6 disabled individuals; establishing certain conditions for the tuition waiver;  
7 limiting the tuition waiver to a maximum number of credits per semester;  
8 clarifying that receipt of certain benefits under the Social Security Act provides  
9 eligibility for the tuition waiver; and generally relating to tuition waivers for  
10 disabled individuals at community colleges.

11 BY repealing and reenacting, with amendments,  
12 Article – Education  
13 Section 16–106(c)  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2010 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Education**

19 16–106.

20 (c) (1) Any resident of this State who is [retired from] **OUT OF** the work  
21 force by reason of total and permanent disability who enrolls at a community college in  
22 a class that has at least 10 regularly enrolled students:

23 (i) Is exempt from payment of tuition **FOR UP TO 6 CREDITS**  
24 **PER SEMESTER OR UP TO 12 CREDITS PER SEMESTER IF THE INDIVIDUAL IS**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ENROLLED IN CLASSES AS PART OF A DEGREE OR A CERTIFICATE PROGRAM  
2 DESIGNED TO LEAD TO EMPLOYMENT; and

3 (ii) Shall be counted in computing full-time equivalent  
4 enrollment under § 16–305 of this title.

5 (2) In order to receive this exemption, an individual who meets the  
6 requirements of paragraph (1) of this subsection shall [obtain] **PROVIDE THE**  
7 **COMMUNITY COLLEGE WITH** certification from the Social Security Administration  
8 [or], the Railroad Retirement Board [that the individual receives disability or  
9 retirement benefits under the Social Security Act or the Railroad Retirement Act.

10 (3) In order to obtain this exemption, an individual who meets the  
11 requirements of paragraph (1) of this subsection, who was a federal employee, and who  
12 does not receive disability or retirement benefits under the Social Security Act or the  
13 Railroad Retirement Act shall obtain certification from], **OR IN THE CASE OF A**  
14 **FORMER FEDERAL EMPLOYEE, FROM** the individual's federal retirement or pension  
15 authority of the [employee's] **INDIVIDUAL'S**:

16 (i) Total and permanent disability; and

17 (ii) Receipt of disability **OR RETIREMENT** benefits based on a  
18 standard that is at least as stringent as the standard applied by the Social Security  
19 Act.

20 (4) **CERTIFICATION FROM THE SOCIAL SECURITY**  
21 **ADMINISTRATION OF AN INDIVIDUAL'S RECEIPT OF DISABILITY OR**  
22 **RETIREMENT BENEFITS UNDER EITHER TITLE II OR TITLE XVI OF THE**  
23 **FEDERAL SOCIAL SECURITY ACT SHALL SATISFY THE REQUIREMENT IN**  
24 **PARAGRAPH (3)(II) OF THIS SUBSECTION.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2011.